

Sims, J.

Court Minutes

September 20, 2010, Continued

C061614 THE PEOPLE v. (Not For Publication)
MALCOLM TERRILL COOPER

The judgment is modified to award defendant 351 days of actual custody and 350 days of conduct credits. The trial court is directed to prepare and forward to the Department of Corrections and Rehabilitation an amended abstract of judgment. The judgment is affirmed as modified.

NICHOLSON, J.

We Concur: Blease, Acting P.J.
 Raye, J.

September 21, 2010

At 9:30 a.m., the court met at 621 Capitol Mall, 10th Floor to begin its court calendar session. Present were Sims, Associate Justice; Raye, Associate Justice; Butz, Associate Justice; and Haskett, bailiff.

C062119 SOUNDS BY DAVE, INC. v. FEDRIZZI et al.

Cause called. Michael T. Shepherd argued for plaintiff-appellant. Martin S. McHugh argued for defendants-appellants. Cause submitted.

At 10:01 a.m., the court recessed until 9:30 a.m., Monday, September 27, 2010.

C059767 THE PEOPLE v. (Not For Publication)
C064415 JUNE ANN LUCENA

The judgment as to count 14, violation of section 72 of the Penal Code, is reversed. ...

SCOTLAND, P.J.

We Concur: Nicholson, J.
 Butz, J.

C061017 THE PEOPLE v. DAVID LUDD (Not For Publication)

The matter is remanded to the trial court to clarify the enhancements imposed and whether the aggregate sentence is 112 years in state prison or 124 years. ...

RAYE, J.

We Concur: Nicholson, Acting P.J.
Butz, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

Court Minutes

September 21, 2010, Continued

- C063389 THE PEOPLE v. (Not For Publication)**
JOSE ANGEL LOPEZ
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Hull, J.
Robie, J.
- C063475 THE PEOPLE v. (Not For Publication)**
DANIEL DOUGLAS MOSSETT
The judgment is affirmed.
SCOTLAND, P.J.
I concur: Robie, J.
Concurring:
It is with dismay that I note that appellant's counsel made no mention of
People v. Clark (1992) 7 Cal.App.4th 1041 (*Clark*) in his opening brief. ...
In either event, this should not happen again.
Hull, J.
- C064432 THE PEOPLE v. (Not For Publication)**
MELANIE JEAN BARRETT
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Hull, J.
Robie, J.
- C061696 CLOVIS UNIFIED SCHOOL DISTRICT (Certified For Publication)**
et al. v. JOHN CHIANG, as State Controller,
etc.
We direct the trial court to issue a peremptory writ of mandate that
invalidates the Controller's audits of the School Districts' SDC and EPEPD
Program reimbursement claims for the applicable periods identified in footnote 2,
ante, encompassing the fiscal years 1998 to 2003, to the extent those audits
were based on the CSDR and did not become final audit determinations prior to
the applicable three-year statute of limitations. ...
The parties shall each bear their own costs on appeal.
(Cal. Rules of Court, rule 8.278 (a)(3).)
BUTZ, J.
We Concur: Scotland, P.J.
Nicholson, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

Court Minutes

September 21, 2010, Continued

C056370 THE PEOPLE v. MARYANNE STEIN (Not For Publication)
C058537 THE PEOPLE v. GARY ALLEN BORTIS

THE COURT:

It is ordered that the opinion filed herein on August 31, 2010, be modified...

This modification does not change the judgment.

The petition for rehearing is denied.

SIMS, Acting P.J.

Nicholson, J.

I concur in the order modifying opinion and denying rehearing...

Butz, J.

C062435 BANISTER v. CALIFORNIA BOARD (Not For Publication)
OF ACCOUNTANCY

The judgment is affirmed.

RAYE, Acting P.J.

We Concur: Butz, J.

Cantil-Sakauye, J.

C063230 In re D.P. et al.; SACRAMENTO COUNTY (Not For Publication)
DEPARTMENT OF HEALTH AND HUMAN
SERVICES v. SYLVIA N.

The juvenile court order is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Nicholson, Acting P.J.

Raye, J.

C062554 DOE v. LINCOLN UNIFIED SCHOOL (Certified For Publication)
DISTRICT et al.

THE COURT:

The opinion in the above-entitled matter filed on August 30, 2010, was certified for partial publication in the Official Reports.

For good cause it now appears that the opinion should be published in full in the Official Reports and it is so ordered.

RAYE, Acting P.J.

Hull, J.

Butz, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

Court Minutes

September 21, 2010, Continued

C063352 THE PEOPLE v. RONNIE MITCHELL (Not For Publication)
THE COURT:
 It is ordered that the opinion filed in this case on August 27, 2010, be modified...
 The judgment is affirmed.
 SCOTLAND, P.J.
We concur:
 Sims, J.
 Hull, J.

C060405 TRANS-SIERRA INVESTMENTS, INC. v. MERRIKH et al.
BY THE COURT:
 Appellants' petition for rehearing is denied.
 BLEASE, Acting P.J.

September 22, 2010

There are no minutes for this date

September 23, 2010

C061985 THOMAS v. CALIFORNIA STATE (Not For Publication)
DEPARTMENT OF WATER RESOURCES
 The judgment is affirmed. DWR is awarded its costs on appeal.
(Cal. Rules of Court, rule 8.278 (a)(1), (2).)
 BLEASE, Acting P.J.
We Concur: Sims, J.
 Cantil-Sakauye, J.

C062386 THE PEOPLE v. (Not For Publication)
OVEIDA MICHAEL BRULEY
 The judgment is affirmed.
 BUTZ, J.
We Concur: Blease, Acting P.J.
 Nicholson, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

Court Minutes

September 23, 2010, Continued

**C064181 GEICO GENERAL INSURANCE (Not For Publication)
COMPANY et al. v. THE SUPERIOR COURT
OF CALAVERAS COUNTY; NORDSTROM et al.**

Let a peremptory writ of mandate issue directing the respondent superior court to vacate its decision denying the motion for summary judgment of GEICO General Insurance Company and Maria Peralta, and to enter a new order granting summary judgment in favor of those parties. Having served its purpose, the alternative writ is discharged, and the stay issued by this court is vacated upon the finality of this decision.

The parties shall bear their own costs in this writ proceeding. (Cal. Rules of Court, rule 8.493 (a)(1)(B).)

BUTZ, J.

We Concur: Scotland, P.J.
 Nicholson, J.

**C064356 THE PEOPLE v. MORENO
BY THE COURT:**

Appellant's petition for rehearing is denied.
BUTZ, Acting P.J.

September 24, 2010

**C061618 THE PEOPLE v. (Not For Publication)
JEFFREY ROBERT LOCKWOOD**

The trial court is directed to correct the abstract of judgment as specified in part II. Of the Discussion, and to send a certified copy of the corrected abstract to the Department of Corrections and Rehabilitation. The judgment is affirmed.

BUTZ, J.

We Concur: Blease, Acting P.J.
 Nicholson, J.

**C062492 THE PEOPLE v. (Not For Publication)
CHRISTOPHER TAYLOR**

The probation order is modified... As so modified, the judgment (order) is affirmed.

NICHOLSON, J.

We Concur: Scotland, P.J.
 Blease, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

Court Minutes

September 24, 2010, Continued

C063176

**THE PEOPLE v.
JUSTIN WAYNE BEEBE**

(Not For Publication)

The judgment is affirmed.

NICHOLSON, J.

We Concur: Blease, Acting P.J.
Butz, J.